


ENTER: 11/20/19

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE

IN RE: ETHICON, INC.,  
PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION

MDL No. 2327

**NOTICE OF WITHDRAWAL OF MOTION TO ENFORCE COURT-ORDERED  
COMMON BENEFIT ASSESSMENT AGAINST  
KLINE & SPECTER AND ETHICON, INC.**

COMES NOW, the Plaintiffs' Common Benefit Fee and Cost Committee ("FCC"), and hereby gives notice of withdrawal of its Motion to Enforce Court-Ordered Common Benefit Assessment against Kline & Specter and Ethicon, Inc. relative to *Beltz, et al. v. Ethicon*, Phila. Court of Common Pleas, June Term 2013, Case No. 0385. (ECF No. 8675).

After the FCC's Motion to Enforce was filed and fully briefed, the Court entered its Memorandum Opinion and Order denying Kline & Specter's Motion to Set an End Date for Common Benefit Assessments. (ECF No. 8809). Thereafter, the Court-ordered assessment relative to the *Beltz* case at issue in the FCC's Motion was deposited by Kline & Specter into the MDL 2327 Common Benefit Fund.

Based thereon, the FCC notifies the Court that the Motion to Enforce Court-Ordered Common Benefit Assessment is hereby withdrawn.

Dated: November 20, 2019

Respectfully submitted,  
THE COMMON BENEFIT FEE AND  
COST COMMITTEE

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 20, 2019, a true and correct copy of the foregoing **NOTICE OF WITHDRAWAL OF MOTION TO ENFORCE COURT-ORDERED COMMON BENEFIT ASSESSMENT AGAINST KLINE & SPECTER AND ETHICON, INC.** was served *via* electronic mail with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the CM/ECF counsel of record.

/s/ Henry G. Garrard, III

Henry G. Garrard, III

Chairman

The Common Benefit Fee and Cost Committee